IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

Crl.Rev.Pet.No. 736 of 1999()

CRA.236/1996 of SESSIONS COURT, THRISSUR
CC.477/1994 of JUDL. MAGISTRATE OF FIRST CLASS COURT, KODUNGALLUR .
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REVN. PETITIONER: APPELLANT/ ACCUSED

SUKUMARAN, S/O.GOPALAN,
CHEROTH HOUSE,
PANANGAD DESOM, SREE NARAYANAPURAM
VILLAGE, KODUNGALLUR TALUK, THRISSUR DISTRICT.

BY ADV. SRI.P.N.RAVINDRAN

RESPONDENTS: RESPONDENTS/ ACCUSED & STATE
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1. **SAINUDDIN, S/O. ABOOBACKER, ARAVASSERI HOUSE, KAITHAKKAL DESOM, THALIKULAM VILLAGE CHAVAKKAD TALUK, THRISSUR DISTRICT.**

2. **STATE OF KERALA, REP.BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM COCHIN 682 031.**

BY ADV. SRI.P.K.RAVISANKAR
BY PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.RP. NO.736/1999

ORDER ON CRL.MP. NO.3316/1999 IN CRL.RP. NO.736/1999

DISMISSED

26.07.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.A. TO JUDGE

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K.R.UDAYABHANU, J

Crl.R.P.No.736 of 1999

Dated this the 26th day of July, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to pay a fine of Rs.1,60,000/- and in default, to undergo rigorous imprisonment for three months and out of the fine amount, if realised, a sum of Rs.1,55,000/- is to be paid to the complainant as compensation.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.1,55,000/- to the complainant and in default, to undergo simple imprisonment for three months. Revision petitioner is granted six months' time from today onwards to remit the amount of compensation. He shall appear before the Judicial First Class Magistrate Court, Kodungallur on 28.1.2008 to receive the sentence. Non bailable warrant pending, if any, shall be kept in abeyance till 28.1.2008.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl